IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO. 2443 OF 2004
IN
APPEAL NO. 322 OF 2004
IN
CHAMBER SUMMONS NO. 1058 OF 2003
IN
SHORT CAUSE SUIT NO.1172 OF 1984

Rameshwar Lalchand Karwa — Appellant

vs.

1. Omkarnath Lalchand Karwa & Anr.
& ors. — Respondents

Mr.M.S.Bhandari i/b. Ms.Suman Jain for the appellant.

Respondent present in person.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 1st October 2004

P.C.

There is delay of 5 days in filing the appeal.

2. For the reasons stated in the affidavit in support of notice of motion, we are satisfied that the appellant was prevented by sufficient cause in filing the appeal in time and there was no deliberate delay on the part of the appellant in filing the appeal.

3. We, accordingly, condone the delay in filing the appeal.

4. Office is directed to process the appeal and post it for admission as and when numbered.

5. Notice of motion stands disposed of.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)